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COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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August 12, 2015

TO: Each Supervisor

FROM: Gail Farber *Gail Farber*
Director of Public Works

UNINCORPORATED COUNTY OF LOS ANGELES QUARTERLY STORMWATER COMPLIANCE REPORT – JULY 2015

In accordance with the Board's request at the March 12, 2013, Public Hearing, this report summarizes the County's implementation of the Los Angeles County Municipal Separate Storm Sewer System National Pollutant Discharge Elimination System Permit (MS4 Permit) issued by the Los Angeles Regional Water Quality Control Board (Regional Board). This report covers the period from April to June 2015. Unless otherwise directed, this report will move to a semi-annual schedule starting Fiscal Year 2015-16, with the next report due in January 2016 for the period from July through December 2015.

The MS4 Permit became effective on December 28, 2012, and was issued to 86 Permittees including the County, the Los Angeles County Flood Control District (LACFCD), and 84 cities (excluding the Cities of Avalon, Lancaster, Long Beach, and Palmdale). This report is organized into three parts:

1. Status of compliance in the unincorporated County areas, including key projects, budget expenditures, and budget forecasting;
2. Upcoming major implementation milestones and anticipated regulatory actions; and
3. Status of Regional Board's implementation and enforcement of the MS4 Permit.

Stormwater Compliance in Unincorporated County Areas

In 2006, the Chief Executive Office established the Unincorporated Area Stormwater Program to address increasing challenges facing the County in the area of stormwater

and urban runoff pollution. The purpose of the program is to plan and implement control measures in unincorporated areas and at various County facilities to improve water quality and comply with Federal and State clean water regulations. While each department is responsible for its facilities and operations, the responsibility of overall program coordination was delegated to the County of Los Angeles Department of Public Works.

Key Projects and Programs

Collaborative Watershed Planning

The County is collaborating with 44 cities and the LACFCD in 12 of the 19 watershed groups (Attachment A). Of the 12 watershed groups, 1 is pursuing the Watershed Management Program (WMP) compliance alternative and the remaining 11 are pursuing the Enhanced Watershed Management Program (EWMP) compliance alternative. Each watershed group submitted an EWMP plan (or WMP plan) and Coordinated Integrated Monitoring Program (CIMP) plan by the deadlines established in the permit. The implementation schedule and costs are dependent on fast approaching Total Maximum Daily Load (TMDL) schedules. These plans are currently undergoing public review and review by the Regional Board. Each Permittee's compliance with the MS4 Permit is determined in part by the timely submittal of the planning documents plus their full implementation upon approval by the Regional Board.

During this quarter, the Regional Board conditionally approved the WMP plan for the Alamitos Bay/Los Cerritos Channel Watershed Group. The EWMP groups are also in varying stages of revising their CIMP plans and incorporating comments from the Regional Board where necessary.

EWMP Program Environmental Impact Report

On May 26, 2015, the Board of Supervisors certified the EWMP draft Program Environmental Impact Report (PEIR), approved the EWMPs as described in the draft PEIR, and directed the submittal of the draft EWMP plans on behalf of the County and the LACFCD. The LACFCD was the lead agency in preparing the PEIR, which is available at www.LACoH2Osheds.com. As directed by the Board of Supervisors, draft EWMP plans for the County and LACFCD were submitted to the Regional Board on June 29, 2015. Prior to submittal to the Regional Board, Public Works staff reviewed each EWMP plan to ensure conformity with the EWMPs approved by the Board of Supervisors.

Early Action Projects

The MS4 Permit requires the implementation of structural control measures during the development of EWMP plans. Attachment B shows the 12 EWMP groups and the locations of the following projects being implemented by the County.

- Avocado Heights Multiuse Trail Project – Completed

This project provides a safe route for equestrian, bicycle, and pedestrian users in the unincorporated area of Avocado Heights. The decomposed granite trail includes an adjacent bioswale to infiltrate runoff from the trail. The project was funded by the First Supervisorial District's Road Construction Program and completed in September 2014.

- Oxford Retention Basin Multiuse Enhancement Project – In Progress

This project uses bioretention and a circulation berm to improve water quality inside the Oxford Retention Basin and in the neighboring Basin E of Marina del Rey Harbor. Other enhancements include sediment removal, increased flood capacity, new landscaping, fencing, and observation decks. Construction began in 2015 and is expected to be completed in early 2016. Funding was provided by the LACFCD, a Proposition 84 grant awarded by the Department of Water Resources, a grant by the Santa Monica Bay Restoration Commission, and Supervisorial District 4 discretionary funds.

- Green Street and Brandon Street Road Improvement Project – Completed

This project retrofitted about a half-mile roadway on two streets in the unincorporated area of East Pasadena. The project infiltrates urban and stormwater runoff through permeable pavers, bioretention planters, sediment filtration catch basins, and an underground infiltration basin. Funding was provided by the State's Proposition 1B Transportation Bond Program and completed in May 2015.

Budget and Funding

Table 1 below shows the approved Net County Cost Budget for the UA Stormwater Program for Fiscal Year 2014-15.

Table 1.

CATEGORY	FISCAL YEAR 2014-15
Program Budget	\$13,718,000
Capital Projects	\$ 8,612,000
Total	\$22,330,000

Table 2 below shows the Fiscal Year 2015-16 budget status as of June 30, 2015.

Table 2.

CATEGORY	FISCAL YEAR 2015-16 REQUEST
Ongoing Base Allocation	\$10,164,000
Additional Program Budget	\$ 8,957,000
Capital Projects	\$ 3,900,000
Total	\$23,021,000

Of the \$12,857,000 requested for the additional program budget and capital projects in Table 2, \$8,826,000 has been allocated to the UA Stormwater Program, with the remaining amount of \$4,031,000 deferred for consideration in supplemental changes in September 2015.

Table 3 below shows the current UA Stormwater Program's 5-year budget forecast. The forecast is expected to be refined in the next several months as EWMP plans are finalized and more information becomes available.

Table 3.

CATEGORY	FISCAL YEAR 2015-16	FISCAL YEAR 2016-17	FISCAL YEAR 2017-18	FISCAL YEAR 2018-19	FISCAL YEAR 2019-20
Program Cost*	\$19,121,000	\$32,905,000	\$38,000,000	\$38,500,000	\$38,500,000
Capital Projects	\$ 3,900,000	\$12,000,000	\$15,000,000	\$15,000,000	\$15,000,000
Total	\$23,021,000	\$44,905,000	\$53,000,000	\$53,500,000	\$53,500,000

* Increase due to expanded programmatic controls such as enhanced street sweeping and inspection programs, monitoring activities, and operation and maintenance of new water quality infrastructure.

Staffing

Of the 26 full-time positions budgeted for the UA Stormwater Program, 24 are currently filled. The remaining two positions are expected to be filled by late 2015.

Stakeholder Outreach and Coordination

The development of WMP, EWMP, and CIMP plans requires extensive coordination and outreach. Periodic public workshops and community events, led by the County, where appropriate, provide opportunities to explain the planning process and receive input from stakeholders including interested residents, businesses, water agencies, and environmental organizations. The following events were held during this quarter:

- On May 6, 2015, the Peninsula Cities EWMP group held a stakeholder meeting at the South Coast Botanic Garden.
- On May 14, 2015, the Malibu Creek and North Santa Monica Bay Coastal Watershed EWMP groups held a stakeholder meeting at the King Gillette Ranch in Calabasas.
- On May 27, 2015, the Beach Cities EWMP group held a stakeholder meeting at the Redondo Beach Public Library.
- On May 28, 2015, the Santa Clarita EWMP group held a stakeholder meeting at the Jo Anne Darcy Library in Santa Clarita.

Implementation Milestones and Regulatory Actions

The following is a summary of recent and upcoming implementation milestones and regulatory actions:

- On May 14, 2015, the Regional Board issued a Time Schedule Order (TSO) to Permittees subject to the Ballona Creek Dry Weather Bacteria TMDL, including the County and LACFCD. A Permittee can request a TSO from the Regional Board if additional time is needed to comply with certain TMDLs. Pursuant to the TSO, the County and LACFCD will be partnering with other agencies to construct two low-flow diversion projects in the Ballona Creek Watershed by the new compliance deadline of 2019.
- On June 11, 2015, the Regional Board adopted revisions to the Los Angeles River and Ballona Creek Trash TMDLs. Key changes include an alternative compliance pathway that accounts for technical infeasibilities in the field and additional monitoring to characterize the amount and type of trash in the rivers. On the same day, the Regional Board also adopted the new San Gabriel River Bacteria TMDL.
- As early as July 2015, Permittees, including the County, will begin extensive water quality monitoring in accordance with the CIMP plans. To date, 10 of 19 CIMP plans have been approved or conditionally approved by the Regional Board.
- In summer 2015, the United States Environmental Protection Agency is expected to adopt revisions to the Marina del Rey Toxic Pollutants TMDL. The revised TMDL would include requirements to address boat hull paint as a source of copper and sediment impairments inside the marina. On June 17, 2014, the Board approved a \$4 million 5-year budget for the Department of Beaches and Harbors to conduct scientific studies and other initial efforts associated with the TMDL. Public Works is assisting Beaches and Harbors in carrying out these studies, which have begun and will finish by fall 2016. The status of these actions is being reported by Beaches and Harbors in separate quarterly reports to the Board.
- On September 10, 2015, the Regional Board will consider a petition filed by the Natural Resources Defense Counsel, Los Angeles Waterkeeper, and Heal the Bay, which seek to invalidate the Regional Board Executive Officer's April 2015 conditional approval of all nine WMPs submitted by Permittees.

The environmental organizations are also asking the Regional Board to deny all nine WMPs. The County and the LACFCD are members of one and six group WMPs, respectively.

Regional Board's Implementation and Enforcement of the MS4 Permit

Education and Outreach

During this quarter, the Regional Board did not conduct any educational or outreach activities on the MS4 Permit. The Regional Board did hold informational sessions to receive information on the WMP and EWMP plans in April and July 2015, respectively.

Enforcement

During this reporting period, the Regional Board did not take any enforcement actions related to the current MS4 Permit.

MS4 Permit Petitions

Shortly after the issuance of the MS4 Permit in December 2012, 37 interested parties, including municipalities and environmental groups, petitioned the State Water Resources Control Board (State Water Board) to challenge the MS4 Permit. Central to these petitions was the legality of the MS4 Permit's WMP and EWMP compliance mechanisms.

On June 16, 2015, the State Water Board adopted an order that generally upheld the MS4 Permit. Public Works and County Counsel testified on behalf of the County and the LACFCD in support of the MS4 Permit and the adoption of the State Water Board's order because, although highly ambitious, the permit increases regulatory certainty and incentivizes stormwater reuse. Municipalities generally expressed support for the order and MS4 Permit, however, many also expressed concern regarding the high compliance costs. The environmental community opposed the order on the ground that the WMP and EWMP compliance mechanisms are illegal "safe harbor," excusing Permittees from complying with water quality standards.

PA:ba

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Attach.

cc: Chief Executive Office (Rochelle Goff, Jim Jones)
Executive Office

Attachment A
Summary of Watershed Groups

Bold = Lead/Coordinator

	Group Name	Cities/Permittees Involved	Plan	SD
1	Upper Santa Clara River Watershed	Santa Clarita , County, LACFCD	EWMP	5
2	Upper Los Angeles River Watershed Group	Alhambra, Burbank, Calabasas, Glendale, Hidden Hills, La Canada Flintridge, Los Angeles , Montebello, Monterey Park, Pasadena, Rosemead, San Fernando, San Gabriel, San Marino, South El Monte, South Pasadena, Temple City, County, LACFCD	EWMP	1,2,3,5
3	Los Angeles River Upper Reach 2 Sub Watershed	Bel, Bell Gardens, Commerce, Cudahy, Maywood, Huntington Park , Vernon, LACFCD	WMP	1
4	Lower Los Angeles River Watershed Group	Downey, Lakewood, Long Beach, Lynwood, Paramount, Pico Rivera, Signal Hill , South Gate, LACFCD	WMP	1,2,4
5	Rio Hondo/San Gabriel River Water Quality Group	Arcadia, Azusa, Bradbury, Duarte, Monrovia, Sierra Madre , County, LACFCD	EWMP	1,5
6	Upper San Gabriel River EWMP Group	Baldwin Park, Covina, Glendora, Industry, La Puente, County , LACFCD, West Covina	EWMP	1,4,5
7	East San Gabriel Valley Watershed Management Group	Claremont , La Verne, Pomona, San Dimas	WMP	1,5
8	Lower San Gabriel River Watershed Management Group	Artesia, Bellflower, Cerritos, Diamond Bar, Downey, Hawaiian Gardens, La Mirada, Lakewood, Long Beach, Norwalk , Pico Rivera, Santa Fe Springs, Whittier, LACFCD	WMP	4
9	Los Cerritos Channel Watershed Group	Bellflower, Cerritos, Downey, Lakewood, Long Beach , Paramount, Signal Hill, LACFCD	WMP	4
10	Malibu Creek Watershed Group	Agoura Hills, Calabasas , Hidden Hills, Westlake Village, County, LACFCD	EWMP	3
11	Marina del Rey	Culver City, Los Angeles, County , LACFCD	EWMP	2,3,4
12	North Santa Monica Bay Coastal Watersheds	Malibu , County, LACFCD	EWMP	3
13	Santa Monica Bay Jurisdictions 2 & 3	El Segundo, Los Angeles , Santa Monica, County, LACFCD	EWMP	3,4
14	Beach Cities Watershed Management Group	Hermosa Beach, Manhattan Beach, Redondo Beach , Torrance, LACFCD	EWMP	4
15	Peninsula EWMP Agencies	Palos Verdes Estates, Rancho Palos Verdes , Rolling Hills Estates, County, LACFCD	EWMP	4
16	Ballona Creek	Beverly Hills, Culver City, Inglewood, Los Angeles , Santa Monica, West Hollywood, County, LACFCD	EWMP	2,3,4
17	Dominguez Channel Watershed Management Area Group	El Segundo, Hawthorne, Inglewood, Lomita, Los Angeles , County, LACFCD	EWMP	2,4
18	Alamitos Bay/Los Cerritos Channel Group	County, LACFCD	WMP	4
19	Santa Monica Bay Jurisdiction 7	Los Angeles , LACFCD	WMP	4

	City	Watershed Management Area	Compliance Method	SD
a	Carson	Dominguez Channel WMA	Individual WMP	2
b	Compton	LA River (Compton Creek) & Dominguez Channel	Individual WMP	2
c	El Monte	LA River and San Gabriel River	Individual WMP	1
d	Gardena	Dominguez Channel WMA	Individual WMP	2
e	Inwindale	LA River and San Gabriel River	Individual WMP	1
f	La Habra Heights	San Gabriel River	Individual WMP	4
g	Lawndale	Dominguez Channel WMA	Individual WMP	2
h	Rolling Hills	Dominguez Channel WMA (Machado Lake, LA Harbors) & J7	Numerics	4
i	Walnut	San Gabriel River	Individual WMP	1

National Forest Area

Map of Watershed Groups (With County Early Action EWMP Projects)

